

REMARKS

Claims 1-19 are pending in this application. Claims 1-4, 9 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by Fojtik et al. Claims 5-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fojtik et al. in view of Mickelson. Claim 13 is rejected under 35 U.S.C. § 102(b) as being anticipated by Fojtik et al. Claims 15 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fojtik et al. in view of Mickelson. Claims 17 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fojtik et al. in view of Korein et al. Claim 18 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fojtik et al. in view of Mickelson. These rejections are respectfully traversed in light of the present amendments submitted herewith and these remarks.

Claim 1 has been amended to clearly define the position of the convex reflective surface in relation to the viewing device. Specifically, claim 1 has been amended to recite the “reflective surface being positioned in a spaced-apart and separate physical relationship to said viewing device.” The security viewing apparatus comprises a viewing device having a first field of view. The reflective surface has a second field of view substantially greater than the first field of view. The reflective surface is spaced some distance from the viewing device, but still within the first field of view. The reflective surface is positioned in such a manner that a person peering through the first field of view will see the reflective surface. Therefore, an individual viewing the reflective surface in the first field of view can see the second field of view in the reflective surface.

It should be noted that Fojtik et al. does not disclose a reflective surface in a spaced-apart and separate physical relationship from the viewing device, as recited in amended claim 1 of the present invention. As shown in Figs. 1 and 2 of Fojtik et al., the reflective surface 6 is connected to the second tubular member 3 on the viewing device. The reflective surface 6 is permanently affixed to the viewing device. Fojtik et al. discloses a hemispherical portion 4 that has a convex surface 6 which is covered with light reflective material. The hemispherical portion 4 extends from the end 5 of the second tubular member 3. (Col. 1, lines 34-38).

Fojtik et al. also fails to disclose a reflective surface in the first field of view. Fojtik et al. discloses a viewing lens 7 that produces a first field of view and a reflective surface the produces the second field of view, which is substantially greater than the first field of view. The reflective surface 6 is located behind the viewing lens 7 on the second tubular member 3. Based on this design, it is physically impossible for the reflective surface 6 to be in the first field of view since the reflective surface 6 is located behind the viewing lens 7.

Fojtik et al. does not disclose or suggest the device in claim 1 as currently amended. Accordingly, claim 1, and all other claims 2-17, which are dependent from claim 1, are patentably distinct over the prior art.

Claim 18 has been amended to clearly define the position of the reflective surface in relation to the viewing device. Specifically, the claim has been amended to recite the step of mounting the reflective surface to a surface "in a spaced-apart and separate physical relationship" to the viewing device. The reflective surface of the security viewing apparatus should be mounted along a surface that is some distance from the viewing device, but still within the first field of view. The reflective surface should be positioned at

a point on the surface to produce the maximum second field of view as seen when looking through the viewing device. Likewise, the adjustable joint should be mounted to a surface in a spaced-apart and separate physical relationship to the viewing device.

As stated above, Fojtik et al. does not disclose a reflective surface that is in a spaced-apart and separate physical relationship to the viewing device. The only limitation of the present invention disclosed in Korein et al. is an adjustable joint, as depicted in Fig. 3A. Therefore, Fojtik et al. and Korein et al. do not teach or suggest all of the claim limitations of claim 18, as amended. As such, all rejections based on Fojtik and Korein should be withdrawn.

The examiner has stated the general steps of "mounting," "adjusting," and "looking" in claim 18 are very broad. Applicant respectfully submits that the amendment to claim 18 provides further detail of the structure of the security viewing apparatus which narrows the mounting and adjusting steps. The claim has been amended to include the limitation of mounting the reflective surface in a spaced-apart and separate physical relationship to the viewing device which is mounted to a vertical surface. The claim has also been amended to include the limitation of an adjustable joint attached to a surface in a spaced-apart and separate relationship to the viewing device. Applicant respectfully disagrees with the examiner's rejection based upon the step of "looking" being very broad. Claim 18 does not contain a step reciting the term "looking."

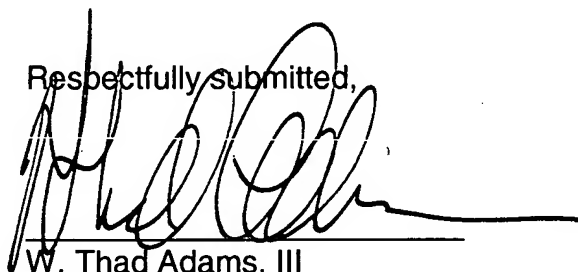
With respect to claim 19, the applicant respectfully disagrees with the examiner's rejection based on the cited prior art. First, Mickelson does not disclose adjusting an inner vertical tube in a vertical direction for positioning an eyepiece. The eyepiece 20 of Fig. 1 is permanently affixed to a handle 16 connected to the inner vertical tube 34 and is incapable of moving. Therefore, when the inner tube is adjusted the eyepiece remains in

the same position. A user cannot move the eyepiece in a vertical direction with respect to the position of their eye as disclosed in the present invention. As such, all rejections based on Mickelson should be withdrawn.

Second, Fojtik et al. does not disclose a first field of view for displaying a second field of view. As stated above, the device in Fig. 2 is incapable of allowing a first field of view to display a second field of view. As such, all rejections based on Fojtik et al. should be withdrawn.

Applicant respectfully submits that the present application is now in condition for allowance.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'W. Thad Adams, III', written over a horizontal line.

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